

Michael D. Pinsky, P.C.
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and the Sheryl Smul Grantor Annuity Trust
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Mike Pinsky, Esq.

RETURN DATE: 9/17/2008
RETURN TIME: 11:30 A.M.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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GREENSTREET FINANCIAL, L.P., a
Delaware limited partnership,

Plaintiff,

-against-

1:07-cv-08005 (KNF)

CS-GRACES, LLC, a New York limited
liability company, RH LODGING SERVICES,
LLC, a New York limited liability company,
and ALAN FRIEDBERG,

Defendants.

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CS-GRACES, LLC and RH LODGING
SERVICES, LLC,

Third-Party Plaintiffs,

-against-

SHERYL SMUL, SHERYL SMUL
GRANTOR ANNUITY TRUST and
ALAN G. FRIEDBERG,

Third-Party Defendants.

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**NOTICE OF MOTION OF SHERYL SMUL AND THE SHERYL SMUL
GRANTOR ANNUITY TRUST FOR LEAVE TO IMPLEAD AS FOURTH PARTY
DEFENDANTS STOLOFF & SILVER, LLP AND GARY D. SILVER**

NOTICE IS HEREBY GIVEN upon the Motion of Sheryl Smul and the Sheryl Smul Grantor Annuity Trust for Leave to Implead as Fourth Party Defendants Stoloff & Silver, LLP and Gary D. Silver (the ‘Motion’) dated 8/13/2008, in the above-captioned civil action, by their attorney Michael D. Pinsky, P.C., that on 9/17/2008 at 11:30 a.m., or as soon thereafter as counsel may be heard, Third Party Defendants Sheryl Smul and the Sheryl Smul Grantor Annuity Trust shall apply to the Honorable Kevin Nathaniel Fox, United States Magistrate Judge at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, Room 540, New York, New York, 10007, for an order granting them leave to bring a fourth party action against nonparties Stoloff & Silver, LLP and Gary D. Silver, all as more fully set out in the Motion.

PLEASE TAKE FURTHER NOTICE that any opposition to the Motion shall be in writing and shall conform to the Federal Rules of Civil Procedure and Local Rules of the District Court, shall set forth the basis for the opposition and the specific grounds therefore, and shall be filed with the District Court electronically, with a hard copy delivered directly to Chambers, and shall be served upon Michael D. Pinsky, P.C., P.O. 211 Main Street, Box 148, Goshen, New York 10924, so as to be actually received not less than five (5) business days prior to the return date.

Dated: Goshen, New York
8/14/2008

/s/ Mike Pinsky, Esq.
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